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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------------------------------------------|-------------|----------------------|------------------------------|------------------|
| 10/016,289 | 10/31/2001 | Anne Marie Darling | G08.058 | 4057 |
| 28062 | 7590 | 11/29/2005 | | |
| BUCKLEY, MASCHOFF, TALWALKAR LLC 5 ELM STREET NEW CANAAN, CT 06840 | | | EXAMINER GREENE, DANIEL L | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3621 | |

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/016,289 | DARLING, ANNE MARIE | |
| | Examiner | Art Unit | |
| | Daniel L. Greene | 3621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

PROSECUTION REOPENED

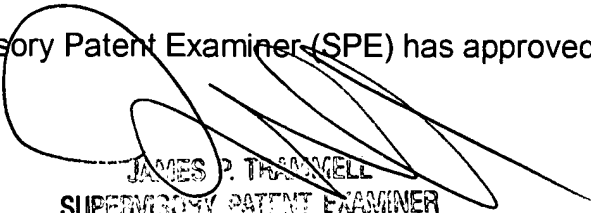
1. In view of the Appeal Brief filed on 9/9/2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


JAMES P. THAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600
Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plantz et al. U.S. Patent 6,088,702 [Plantz].

As per claim 16:

Plantz discloses:

allowing a content creator to log into a system: for example Col. 7, lines 27-34, Col. 9, lines 15-25.

providing a content type specific template to the content creator, the content type specific template being associated with a particular content type of a plurality of content types supported by the system; for example Col. 7, lines 37-40, Col. 9, lines 35-38.

allowing the content creator to create a draft by using the content type specific template. for example Col. 9, lines 37-45.

selecting at least one of a reviewer and an editor from among a plurality of reviewers and editors accessible via the system, the selecting based at least in part on the content type specific template; for example Col. 8, lines 20-35.

transmitting the draft to the selected at least one of a reviewer and an editor. for example Col. 9, lines 15-67.

Plantz discloses the claimed invention except for specifically using the term template. However, a reference is to be considered not only for what it expressly states, but also for what it would reasonably have suggested to one of ordinary skill in the art.

In re DeLisle, 160 USPQ 806 (CCPA 1969)

Plantz discloses: " If a new author signs into the system, his or her name is added to a GPS database of usernames and passwords. Upon providing the required

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log-in data, a log-in selection 143 executes the log-in command, and if approved username and password data are supplied by the user, access to a menu of topics, subtopic, or chapters 151, 152, 153 for which the author is authorized to contribute is provided 150, along with a selection 154 to view or edit the selected document, (see FIG. 7 for one embodiment of the layout of these functions).

(17) By selecting and highlighting the document 151, 152, 153 and selecting "View/Edit Document" 154, the GPS provides an publishing/editing control form 160 for the specific document. Col. 9, lines 24-37.

The Examiner submits that publishing/editing control forms for a specific document serves the same function as a template. Further, as per Fig. 5 , Plantz shows Sample Topics such as "View Medical Topic Sample 136' , "View Outline Format Sample 136" etc. The Examiner submits that viewing an outline format sample is the same as viewing a template.

As per claim 17:

Plantz further discloses:

allowing the content creator to select the content type specific template from among a plurality of content type specific templates supported by the system. for example Fig. 5, Col. 9, lines 36-67.

As per claim 19:

Balderrama further discloses:

allowing the selected at least one of a reviewer and an editor to review the transmitted draft. for example Col. 9, lines 55-67.

As per claim 20:

Claim 16 is rejected under 35 U.S.C. 103 as being unpatentable over Plantz.

Plantz teaches all of the elements claimed with the exception of applying a tag to the draft, and wherein the selecting the at least one of a reviewer and an editor is based at least in part on the tag applied to the draft.

However, Plantz does teach for example Figures 2 and 3, 150 Access to Document , 190 Access to Document and Fig. 12, Control Center with it's sections of functions. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of tagging the template that requires authoring/editing because the skilled artisan would have recognized that this business practice of identifying/tagging a document/template requiring modifications provides for control of the template generation process and is clearly applicable to applying a tag to the draft, and wherein the selecting the at least one of a reviewer and an editor is based at least in part on the tag applied to the draft. These advantages are well known to those skilled in the art.

As per claim 21:

Plantz discloses:

allowing a content creator to log into a system; for example Col. 7, lines 27-34, Col. 9, lines 15-25.

allowing the content creator to create a draft in the system; for example Col. 9, lines 37-45.

Plantz teaches all of the elements claimed with the exception of applying a tag to the draft, and wherein the selecting the at least one of a reviewer and an editor is based at least in part on the tag applied to the draft, the selected at least one of a reviewer and an editor being a user of the system.

However, Plantz does teach for example Figures 2 and 3, 150 Access to Document , 190 Access to Document and Fig. 12, Control Center with it's sections of functions. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of tagging the template that requires authoring/editing because the skilled artisan would have recognized that this business practice of identifying/tagging a document/template requiring modifications provides for control of the template generation process and is clearly applicable to applying a tag to the draft, and wherein the selecting the at least one of a reviewer and an editor is based at least in part on the tag applied to the draft. These advantages are well known to those skilled in the art.

transmitting the draft to the selected at least one of a reviewer and an editor.
Col. 9, lines 15-67.

As per claim 22:

Plantz further discloses:

wherein the system automatically applies the tag to the draft. Col. 9, lines 35-40.

As per claim 23:

Plantz discloses the claimed invention except for wherein the content creator applies the tag to the draft.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to wherein the content creator applies the tag to the draft, since it has been held that broadly providing a manual means to replace an automatic activity which accomplishes the same results involves only routine skill in the art. In re Venner, 120 USPQ 192.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to permit the content creator to apply a tag to the draft within the limitations/guidelines specified by the publishing/editing control forms. Col. 9, lines 35-37.

As per claim 24:

Plantz further discloses:

allowing the selected at least one of a reviewer and an editor to review the transmitted draft. for example Col. 10, lines 1-67.

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Plantz as applied to claims 16-17 above, and further in view of Dabney et al (hereinafter, "Dabney", 6,643,663) in view of Plantz et al (hereinafter, "Plantz", 6,088,702) and Bernado et al (hereinafter, "Bernado", 6,308,188).

As per claims 18:

Dabney discloses a system and method for implementing changes to content on an Internet website server, comprising

- an intranet server coupled to provide input to said internet server (col. 5, lines 24-42, col. 6, lines 22-47 and lines 60-64);
- a workflow application coupled to said intranet server (col. 5, lines 24-49);
- an author (web editor) interfacing with said workflow application to develop and provide page content in said workflow application (col. 5, lines 24-42 and col. 6, lines 21-47); and
- at least one reviewer (manager) interfacing with said workflow application for receiving and reviewing said page content (col. 5, lines 24-42 and col. 6, lines 21-47).

However, Dabney does not explicitly disclose:

- an administrator interfacing with said workflow application for receiving page content reviewed and approved by said at least one reviewer and launching said content to said intranet server for input to said internet server.

Plantz discloses a Group Publishing System including:

- an administrator interfacing with said workflow application for receiving page content reviewed and approved by said at least one reviewer and launching said content to said intranet server for input to said internet server (col. 10, lines 63-67 and col. 11, lines 1-42).

Given the teaching of Plantz, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dabney by incorporating or implementing an administrator to review and edit documents in a database and uploading the documents to the web in timely and efficient manner.

While the combined system of Dabney and Plantz, discloses the invention substantially as claims discussed above, it does not explicitly disclose editing webpage content, wherein the plurality of content specific templates includes a first template suitable for creating a website document, a second template suitable for creating an e-mail, a third template suitable for creating an alert, and a fourth template for creating branded content. Nonetheless, editing webpage content, wherein the plurality of content specific templates includes a first template suitable for creating a website document, a second template suitable for creating an e-mail, a third template suitable for creating an alert, and a fourth template for creating branded content is in accordance with template rules is well known in the art as evidenced by Bernado.

In similar art, Bernado discloses editing webpage content, wherein said webpage content is in accordance with template rules (col. 2, lines 45-54, col. 3, lines 2-31, col. 5, lines 51-67, col. 6, lines 1-8, col. 8, lines 32-41, lines 6667, col. 9, lines 1-7 and lines 39-58).

Given the teaching of Bernado, it would have been obvious to one of ordinary skill in the art to modify the combined system of Dabney and Plantz, by employing the well-known conventional feature of editing webpage content, wherein the plurality of content specific templates includes a first template suitable for creating a website document, a

second template suitable for creating an e-mail, a third template suitable for creating an alert, and a fourth template for creating branded content is in accordance with template rules allowing the designer/user to review/edit documents/website content.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene
Examiner
Art Unit 3621

11/16/2005


SALVATORE CANGIALOCO
PRIMARY EXAMINER
ART UNIT 222